

REMARKS

Claims 80-136 are now pending in the application. Reconsideration is respectfully requested in light of the present amendments and the following remarks. The above amendments and following remarks are believed to be fully responsive to the outstanding Office Action to render all claims at issue patentably distinct over the references cited.

EXAMINER INTERVIEW

Applicants would like to thank the Examiner and the Primary Examiner for the care taken in examining the claims and for the telephonic interview conducted on Tuesday, December 13, 2005. The pending claims were discussed. During the interview, the Examiner withdrew the rejection under 35 U.S.C. § 102(e) for Claims 1-2, 4-6, 8 and 10-11 as being anticipated by Gordon et al.

AMENDMENT TO SPECIFICATION

Paragraph [0002] has been amended to correctly identify all of the U.S. government support that may have been used for the present inventions. No new subject matter has been added.

REJECTION UNDER 35 U.S.C. § 112

Claims 40-56 stand rejected under 35 U.S.C. § 112, second paragraph, as being vague and indefinite. This rejection is respectfully traversed. However, in an attempt to

expedite prosecution, Applicants have canceled Claims 40-56. Accordingly, reconsideration and withdrawal of the present rejection is respectfully requested.

Claims 6, 7, and 49-53 stand rejected under 35 U.S.C. § 112, second paragraph, as being vague and indefinite. This rejection is respectfully traversed. By way of the present Amendment, Applicants have canceled Claims 6, 7 and 49-53, thereby rendering this rejection moot. However, in the interest of expediting the prosecution of the present application, Applicants submit that these terms are not vague and indefinite as they represent that official symbols given to the genes listed as PGK1, LMO2, CCND2, SCYA3, HUGO Gene Nomenclature Committee, which are recognized and searchable by NCBI of the NIH. Accordingly, reconsideration and withdrawal of the present rejection is respectfully requested.

Claims 53-56 stand rejected under 35 U.S.C. § 112, second paragraph, as being vague and indefinite. This rejection is respectfully traversed. However, in an attempt to expedite prosecution, Applicants have canceled Claims 53-56. Accordingly, reconsideration and withdrawal of the present rejection is respectfully requested.

Claims 1-12 and 40-51 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. This rejection is respectfully traversed. However, in an attempt to expedite prosecution, Applicants have canceled Claims 1-12, and 40-51. Accordingly, reconsideration and withdrawal of the present rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-3, 8-9, and 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Alizadeh et al., (Nature, Vol. 403, pages 503-511, February 2000). This rejection is respectfully traversed. At the outset, Applicant respectfully submits that the originally filed claims are patentably distinct over the cited reference. However, in an attempt to expedite prosecution, Applicants have canceled Claims 1-3, 8-9, and 12. Accordingly, reconsideration and withdrawal of the present rejection is respectfully requested.

Claims 1-3, 8, and 12 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Rosenwald et al. (N Engl J Med, vol. 346, pages 1937-47, June 2002) or Rocke et al. (U.S. Patent Publication No. 2002/0111742, Aug. 15, 2002). This rejection is respectfully traversed. At the outset, Applicant respectfully submits that the originally filed claims are patentably distinct over the cited references. However, in an attempt to expedite prosecution, Applicants have canceled Claims 1-3, 8, and 12. Accordingly, reconsideration and withdrawal of the present rejection is respectfully requested.

Claims 1-2, 4-6, 8, 10-11, 40-41, 43-45 and 49 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Gordon et al. (U.S. Patent Publication No. 2003/0219760, effective filing date, Aug. 30, 2002). This rejection is respectfully

traversed. At the outset, Applicant respectfully submits that the originally filed claims are patentably distinct over the cited reference. During the interview of December 13, 2005, the Examiner withdrew the rejection for Claims 1-2, 4-6, 8 and 10-11. However, in an attempt to expedite prosecution, Applicants have canceled Claims 1-2, 4-6, 8, 10-11, 40-41, 43-45, and 49. Accordingly, reconsideration and withdrawal of the present rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 1 and 4-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Rosenwald et al. (N Engl J Med, vol. 346, pages 1937-47, June 2002) in view of Gordon et al., (U.S. Patent Application Publication No. 2003/0129760, effective filing date Aug. 30, 2002) and Goldberg et al., (U.S. Patent Publication No. 2003/0060439, effective filing date, Jan. 11, 2001). This rejection is respectfully traversed. At the outset, Applicant respectfully submits that the originally filed claims are patentably distinct over the cited references. However, in an attempt to expedite prosecution, Applicants have canceled Claims 1 and 4-7. Accordingly, reconsideration and withdrawal of the present rejection is respectfully requested.

Claims 40-52 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gordon et al., (U.S. Patent Application Publication No. 2003/0129760, effective filing date Aug. 30, 2002) in view of Alizadeh et al., (Nature, Vol. 403, pages 503-511, February 2000) and Goldberg et al., (U.S. Patent Publication No. 2003/0060439, effective filing date, Jan. 11, 2001). This rejection is respectfully traversed. At the

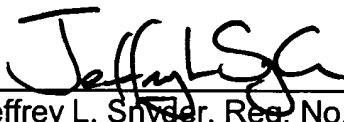
outset, Applicant respectfully submits that the originally filed claims are patentably distinct over the cited references. However, in an attempt to expedite prosecution, Applicants have canceled Claims 40-52. Accordingly, reconsideration and withdrawal of the present rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: November 29, 2006

By: 
Jeffrey L. Snyder, Reg. No. 43,141
Michael J. Lang, Ph.D., Reg. No. 51,120

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

JLS/MJL/ng